



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,214	12/22/2003	Karen Brodersen	OIC0167C1US	7619
60975	7590	12/12/2006	EXAMINER	
CSA LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			PONIKIEWSKI, TOMASZ	
		ART UNIT	PAPER NUMBER	
			2165	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/743,214	BRODERSEN ET AL.	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 October 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 39,40,42,44-47 and 49-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 39-40, 42, 44-47 and 49-70 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment filed on October 6, 2006 has been received and entered.
Claims 39-40, 42, 44-47 and 49-70 are pending.
2. The Applicant's communication overcomes rejections under 112.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim language of claim 44 is vague and confusing. It brings to question the distinction between owner, user, employee and operator. The examiner fails to understand what the applicant is trying to convey in this claim.

Claim Rejections - 35 USC § 102

Art Unit: 2165

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 39-40, 42, 44-47 and 49-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Elsey et al. (US 6,870,921 B1).

As per claim 39 Elsey et al. is directed to a database system comprising a partitionable database, wherein;

the partitionable database is owned by a database operator (column 2, lines 20-25; column 3, lines 66-67; column 4, lines 1-3, wherein database has to have an owner),

the partitionable database comprises a plurality of distinct files (column 4, lines 9-10),

each of the distinct files is associated with an owner (column 4, lines 9-11),

the owner is a tenant of the partitionable database (column 5, lines 21-22),

the owner is other than the database operator (column 5, lines 21-22),

the partitionable database is partitioned into a plurality of virtual databases (column 4, lines 2-3, wherein “virtual database” could mean “private directory”), and each of the virtual databases corresponds to a distinct one of the tenants in such

manner that a partitioned virtual database for a tenant comprises stored files associated with the tenant (column 4, lines 9-16), and

an access control subsystem, wherein:

the access control subsystem is coupled to the virtual databases (column 4, lines 16-22), and

the access control subsystem is configured to provide access to files in a virtual database of the virtual databases to a user only when the user has access authorization to the virtual database of the virtual databases from the tenant who owns the virtual database of the virtual databases (column 4, lines 16-22).

As per claim 40 Elsey et al. is directed to the virtual databases are disjoint from one another (column 4, lines 9-16, wherein the information stored may contain different elements).

As per claim 42 Elsey et al. is directed to the access control subsystem is further configured to provide access to the virtual database to the user only when the user has access authorization from the tenant who owns the virtual database (column 4, lines 16-22).

As per claim 44 Elsey et al. is directed to the access control subsystem is further configured to provide access authorization to the user for particular file in the virtual database based on initiation of a database call through an associated computer

telephony integration (CTI) system by the owner associated with that file such that the user is an employee of the database operator that receives the database call (no citation in light of 112).

As per claim 45 Elsey et al. is directed to the database operator further provides common call center service to customers of the database tenants on behalf of the database tenants (column 10, lines 20-26).

As per claim 46 Elsey et al. is directed to a method comprising:
managing a database system, comprising:
granting access authorization to a user for one virtual database of a virtual databases by an owner of the virtual database (column 4, lines 2-3, wherein “virtual database” could mean “private directory”; column 4, lines 9-16), wherein
the database system comprises a partitionable database (column 4, lines 2-3),
the partitionable database comprises a plurality of virtual databases (column 4-lines 2-3),
the virtual database comprise the one virtual database (column 5, lines 21-22),
and
each of the virtual databases has a unique database owner (column 5, lines 21-22); and
providing to the user access to a file in the one virtual database after the user has been granted the access authorization (column 4, lines 16-22).

As per claim 47 Elsey et al. directed to wherein the virtual databases are disjoint virtual databases (column 4, lines 9-16, wherein the information stored may contain different elements).

As per claim 49 Elsey et al. directed to the user further needs authorization from an owner of a file within the one virtual database to access that file, and including providing access to the file to the user after the file owner grants authorization (column 4, lines 11-16; column 4, lines 19-24; column 4, lines 30-33).

As per claim 50 Elsey et al. directed to before the providing of the access to the file of the file owner, receiving access authorization to the file for the user from the file owner (column 4, lines 16-22; column 4, lines 30-33).

As per claim 51 Elsey et al. directed to the receiving of the access authorization to the file comprises initiation by the file owner of a database call to the user through an associated computer telephony integration (CTI) system (column 4, lines 38-59).

As per claim 52 Elsey et al. is directed to wherein the database is a multi-tenant database having a plurality of tenants, each tenant of the tenants being the owner of a separate virtual database, at least two of the tenants utilizing a common call center

Art Unit: 2165

service (column 4, lines 2-3; column 4, lines 9-12; column 4, lines 26-28; column 4, lines 38-51).

As per claim 53 Elsey et al. is directed to wherein the partitionable database stores a plurality of distinct files that are each associated with one of a multiple unique database owners such that the virtual databases each comprises the stored files associated with the owner of the virtual database (column 4, lines 2-3; column 4, lines 9-16).

As per claim 54 Elsey et al. is directed to the partitionable database is operated by a database operator on behalf of the owners of the virtual databases as tenants of the database (column 2, lines 20-25; column 4, lines 46-47, wherein the subscriber needs a service that is operated by an operator).

As per claim 55 Elsey et al. is directed to each of the tenants lease capacity of the partitionable database from the database operator (column 4, lines 36-38, wherein the subscriber or tenant needs a service that is operated by an operator).

As per claim 56 Elsey et al. is directed to wherein the providing to the user of the access authorization to the file in the one virtual database is initiated by a telephone call from the owner of that virtual database through a computer telephony integration (CTI) system (column 4, lines 38-44).

As per claim 57 Elsey et al. is directed to wherein the user is a representative of an organization providing a service to the owner of the one virtual database (column 4, lines 30-33).

As per claim 58 Elsey et al. is directed to further providing access to the user to files in other virtual databases after the user is granted authorization from the owners of the other virtual databases (column 4, lines 16-20; column 6, lines 3-4).

As per claim 59 Elsey et al. is directed to wherein the access provided to the user is temporary access based on duration of the telephone call (column 5, line32; column 5, line 56; wherein the "duration" is the time between log in and log out).

As per claim 60 Elsey et al. is directed to wherein the telephone call by the owner of the one virtual database is made regarding the file, and further automatically providing access to the user to other files in the one virtual database based on the telephone call (column 10, lines 20-25; column 10, lines 35-37).

As per claim 61 Elsey et al. is directed to the computer telephony integration (CTI) system is part of a call center service common to the owners of the virtual databases (column 4, lines 38-44; column 10, lines 20-26).

As per claim 62 Elsey et al. is directed to wherein the providing to the user of the access authorization to the file is based at least in part on the user receiving the telephone call via the CTI system (column 4, lines 38-44).

As per claim 63 Elsey et al. is directed to the providing to the user of the access authorization to the file is based on a current role of the user (column 4, lines 30-31, wherein "role" depends on "level of access").

As per claim 64 Elsey et al. is directed to a method comprising:
managing a multi-tenant database, wherein
the multi-tenant database comprises a plurality of virtual databases (column 5, lines 21-22),
each of the virtual databases has a distinct owner (column 5, lines 21-22),
each distinct owner is one of the tenants (column 4, lines 9-12),
each of the virtual databases has multiple associated groups of data (column 4, lines 28-35), and
the managing comprises:
setting access privileges for the groups of data in each of the virtual databases based at least in part on the tenant that owns the database (column 4, lines 16-17; column 4, lines 28-35); and
for each of multiple requests by a user to one of the data groups in one of the virtual databases (column 4, lines 31-32),

determining whether to grant access to the user for the requested data group based at least in part on a relationship of the user to the tenant that owns the virtual database that comprises the requested data group (column 2, lines 45-47; column 4, lines 19-20; column 4, lines 28-35);

when the relationship of the user to the owner tenant is determined to be an employee relationship, granting access to the user for the requested data group (column 4, lines 28-35); and

when the relationship of the user to the owner tenant is not determined to be an employee relationship, granting access to the user for the requested data group only when the owner tenant is determined to have provided access authorization to the user for that requested data group (column 4, lines 16-24).

As per claim 65 Elsey et al. is directed to each of the groups of data is a file stored in the database (column 4, lines 2-3).

As per claim 66 Elsey et al. is directed to wherein the method is performed by a database operator, and the database operator is other than any of the tenants (column 4, lines 63-66).

As per claim 67 Elsey et al. is directed to at least some of the requests for data groups by users are received for users that are representatives of the database operator and are based on a contact to the users that is initiated by the tenants that own

the virtual databases associated with the requested data groups, and wherein the access authorizations for those users are determined to have been provided by those owner tenants based on the initiated contact by those tenants (column 4, lines 16-22; column 4, lines 28-33).

As per claim 68 Elsey et al. is directed to the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, granting access to the user to other data groups in that virtual databases (column 4, lines 16-24), wherein

The granting access is based on that providing of the access authorization (column 4, lines 16-24).

As per claim 69 Elsey et al. is directed to the access granted to a user whose relationship to an owner tenant is not determined to be an employee relationship is temporary access (column 4, lines 16-23; column 5, line32; column 5, line 56; wherein the "duration" is the time between log in and log out).

As per claim 70 Elsey et al. is directed to when the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, the access granted to that user is based on a current

Art Unit: 2165

role of the user (column 4, lines 16-23; column 4, lines 30-31, wherein "role" depends on "level of access").

Response to Arguments

7. Applicant's arguments filed October 6, 2006 have been fully considered but they are not persuasive.

As to applicant's arguments that citations given do not cover the limitations claimed in the application, new citations have been provided which cover limitations and presented arguments.

As to applicant's argument that Elsey et al. does not teach virtual databases, it is found not persuasive.

The examiner interprets Elsey et al. recitation of private directories stored in database to be equivalent to virtual directories as recited in instant application.

As to applicant's argument that Elsey et al. does not teach granting access authorization by an owner of virtual database is not found persuasive.

Elsey et al. teaches that the individual who is owner of the private directory, as above mentioned private directory could be interpreted as virtual database, grants access to another individual as stated in column 4, lines 16-22.

As to applicant's argument that Elsey et al. does not teach a multi-tenant database which comprises plurality of virtual databases, it is found not persuasive.

Elsey et al. teaches a database on which plurality of private directories could be stored. As explained above private directories stored in a database could be interpreted as virtual databases. Each of the private directories has a distinct owner/tenant and each private directory could store group of information tailored to the needs of that tenant.

As to applicant's note/ comment of the examiners notes in the citations containing the language " could mean", they are meant to convey what the examiner interprets the reference to be in light of the claim limitations of the instant application.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2165

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
December 7, 2006



JEFFREY S. GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100